

CONGRESSIONAL RECORD SUMMARY

Tuesday, October 8, 2002

SENATE

Measures Introduced:

_____ S. 3074. *A bill to provide bankruptcy judgeships; to the Committee on the Judiciary.*
Biden *Page S 10117*

S. 3076. *A bill to provide risk sharing and indemnification for government contractors supplying anti-terrorism technology and services, and for other purposes; to the Committee on Armed Services.*
Warner *Page S 10117*

S. 3079. *A bill to authorize the issuance of immigrant visas to, and the admission to the United States for permanent residence of, certain scientists, engineers, and technicians who have worked in Iraqi weapons of mass destruction programs; to the Committee on the Judiciary.*
Biden *Page S 10117, S 10121-23*

S.J. Res. 48. *A joint resolution disapproving the rule submitted by the Federal Election Commission under chapter 8 of title 5, United States Code, relating to prohibited and excessive contributions; to the Committee on Rules and Administration.*
McCain *Pages S 10118, S 10124-29*

Committee Meetings:

Committee on the Judiciary: Committee ordered favorably reported the nominations of Stanley R. Chesler, to be United States District Judge for the District of New Jersey, Rosemary M. Collyer, of Maryland, to be United States District Judge for the District of Columbia, Mark E. Fuller, to be United States District Judge for the Middle District of Alabama, Daniel L. Hovland, to be United States District Judge for the District of North Dakota, Kent A. Jordan, to be United States District Judge for the District of Delaware, James E. Kinkeade, to be United States District Judge for the Northern District of Texas, Robert G. Klausner, to be United States District Judge for the Central District of California, Robert B. Kugler, to be United States District Judge for the District of New Jersey, Ronald B. Leighton, to be United States District Judge for the Western District of Washington, Jose L. Linares, to be United States District Judge for the District of New Jersey, Alia M. Ludlum, to be United States District Judge for the Western District of Texas, William J. Martini, to be United States District Judge for the District of New Jersey, Thomas W. Phillips, to be United States District Judge for the Eastern District of Tennessee, Linda R. Reade, to be United States Judge for the Northern District of Iowa, William E. Smith, to be United States District Judge for the District of Rhode Island, Jeffrey S. White, to be United States District Judge for the Northern District of California, Freda L. Wolfson, to be United States District Judge for the District of New Jersey, Carol Chien-Hua Lam, to be United States Attorney for the Southern District of California, Glenn T. Suddaby, to be United States Attorney for the Northern District of New York, Johnny Mack Brown, to be United States Marshal for the District of South Carolina, John Francis Clark, to be United States Marshal for the Eastern District of Virginia, Robert Maynard Grubbs, to be United States Marshal for the Eastern District of Michigan, and Joseph R. Guccione, to be United States Marshal for the Southern District of New York.

Pages D 1057-58

Committee on the Judiciary: Committee concluded hearings to examine the Feres Doctrine, the Supreme Court decision which provides that active-duty military personnel or their estates cannot recover damages under the Federal Tort Claims Act where their injuries arise out of, or, are in the course of activity incident to service.

Page D 1058

Committee Meetings for Wednesday, October 9, 2002:

Committee on the Judiciary: @ 10:00 a.m. Subcommittee on Technology, Terrorism, and Government Information, to hold oversight hearings to examine the implementation of the **USA Patriot Act (Public Law 107-56)**, and the **Enhanced Border Security and Visa Entry Reform Act (Public Law 107-173)**. SD-226.
Page D 1060

Remarks:

FBI Reform.

Grassley _____ Pages D 10055-57

HOUSE

Bills Introduced:

H.R. 5575. A bill to *amend titles 10 and 18, United States Code*, and the Revised Statutes to remove the uncertainty regarding the authority of the Department of Defense to permit buildings located on military installations and reserve component facilities to be used as polling places in Federal, State, and local elections for public office; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Kirk

Page H 7303

H.R. 5580. *A bill to amend title 18, United States Code, to provide mandatory restitution in certain cases, and for other purposes; to the Committee on the Judiciary.*

Wilson

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H.R. 5581. A bill to *amend section 1951 of title 18, United States Code* (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

Wilson

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H.J. Res. 119. A joint resolution disapproving the rule submitted by the Federal Election Commission *under chapter 8 of title 5, United States Code*, relating to prohibited and excessive contributions; to the Committee on House Administration.

Shays

Page H 7303

H. Con. Res. 503. *Concurrent resolution directing the Clerk of the House of Representatives to correct the enrollment of the bill H.R. 2215; considered and agreed to.*

Sensenbrenner

Page H 7303

Reports Filed:

Reports were filed today as follows:

H.R. 2037, to amend the Act establishing the Department of Commerce to protect manufacturers and sellers in the firearms and ammunition industry from restrictions on interstate or foreign commerce, amended (House Report 107-727, Pt. 2); and [cont.]

Reports Filed (Cont.):

Conference report on H.R. 3295, to establish a program to provide funds to States to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections, and for other purposes (House Report 107-730).

Pages H 7247-68, H 7302, D 1058

Suspensions:

The House agreed to suspend the rules and pass the following measures that were debated on Monday, October 7.

Affirming One Nation Under God in the Pledge of Allegiance: S. 2690, amended, to reaffirm the reference to one Nation under God in the Pledge of Allegiance (agreed to by a ye-a-and-nay vote of 401 yeas to 5 nays with 4 voting "present," Roll No. 445);

Pages H 7186-7, D 1058

Child Abduction Prevention: H.R. 5422, amended, to prevent child abduction (agreed to by a ye-a-and-nay vote of 390 yeas to 24 nays, Roll No. 446).

Pages H 7187, D 1058

Enrollment Correction:

The House agreed to H. Con. Res. 503, directing the clerk of the House of Representatives to correct the enrollment of the bill H.R. 2215, 21st Century Department of Justice Appropriations Authorization Act.

Pages H 7188-9, D 1058

Committee Meetings:

Committee on Government Reform: Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations held an oversight hearing on "*The Use and Abuse of Government Credit Cards at the Department of the Navy.*"

Committee on the Judiciary: *Subcommittee on Crime, Terrorism and Homeland Security held a hearing on H.R. 2929, Bail Bond Fairness Act of 2001. Testimony was heard from Edward Carnes, Judge, U.S. Court of Appeals, 11th Circuit and Chairman Advisory Committee on Criminal Rules, U.S. Judicial Conference.*

Page D 1059

Committee on Ways and Means: *Ordered reported, as amended, the following bills: H.R. 5558, Retirement Savings and Security Act of 2002; and H.R. 1619, to amend the Internal Revenue Codes of 1986 to increase the limitation on capital losses applicable to individuals.*

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Committee Meetings For Wednesday, October 9, 2002:

Committee on Government Reform, @ 11:00 a.m. To consider the following bills: **H.R. 5205**, to amend the District of Columbia Retirement Protection Act of 1997 to permit the Secretary of the Treasury to use estimated amounts in determining the service longevity component of the Federal benefit payment required to be paid under such Act to certain retirees of the Metropolitan Police Department of the District of Columbia; **H.R. 5215, Confidential Information Protection and Statistical Efficiency Act of 2002**; **H.R. 4187**, Presidential Records Act Amendments of 2002; and **H.R. 2458, E-Government Act of 2002**; and to consider the following Committee Reports entitled: **"Making Federal Computers Secure: Overseeing Effective Information Security Management;"** **"How Can The Federal Government Better Assist State and Local Governments Prepare for a Biological, Chemical, or Nuclear Attack?;"** **"The Federal Government's Continuing Efforts to Improve Financial Management;"** **"Defense Security Service: The Personnel Security Investigations (PSI) Backlog Poses a Threat to National Security;"** **"Federal Law Enforcement at the Borders and Ports of Entry: Challenges and Solutions;"** and **"Problems With the Presidential Gifts System."** 2154 Rayburn.

Committee on the Judiciary, @ 11:00 a.m. To mark up the following bills: **H.R. 2155, to amend title 18, United States Code**, to make it illegal to operate a motor vehicle with a drug or alcohol in the body of the driver at a land border port of entry; **H.R. 4967**, Border Commuter Student Act of 2002; and **H.R. 5334**, to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits. 2141 Rayburn.

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Remarks:

Protecting Social Security Must Be A Priority.

Johnson

Page H 7173-4

Social Security Privatization.

Matsui

Page H 7174

In Recognition Of Lawsuit Abuse Awareness Wee: September 30-October 4, 2002.

Ehrlich

Pages E 1786

Child Abduction Prevention Act. (**H.R. 5422**)

Blumenauer

Page E 1787

Child Abduction Prevention Act. (H.R. 5422)

"... First, H.R. 5422 seeks to expand the type of homicide that can be punished by the death penalty. I believe that we must have stiff penalties for those who commit violent crimes, but I do not feel the death penalty should be one of the options. It has always been my strong belief that the government has no right to selectively take life away from one of its citizens. Because I adamantly oppose the use of the death penalty in all situations, I cannot support this bill. Further, I oppose H.R. 5422 because it would have an unintended and disproportionate impact on the Native American population. The legislation would mandate life imprisonment for a second sex crime involving a child. However, the bill is limited to cases falling under federal jurisdiction, such as Native American reservations, national parks and forests, and U.S. territorial waters. Statistics indicate that approximately 75 percent of the cases that would be covered by this bill involve Native Americans..."

Oberstar

Page E 1793

Remarks (Cont.):

Child Abduction Prevention Act. (H.R. 5422)

"... I object to giving law enforcement unrestricted access to abuse fundamental privacy rights as this bill does. The Republicans added provisions giving the FBI unprecedented wiretap authority to engage in secret surveillance of our homes, even sexual acts between consenting adults..."

Stark

Page E 1799

Reaffirming Reference To One Nation Under God In Pledge Of Allegiance.

"... The Court ruled on a case in which children were required to recite the pledge. Just as we should not bar anyone from reciting the Pledge of Allegiance, we should not force anyone to recite words they do not believe. The Court was clear in affirming that the term 'under God' was more than a casual colloquialism. The meaning of these words is only proven by Congress' religiously inspired crusade to chastise and even undo the Ninth Circuit's opinion. Congress ought to heed the Ninth Circuit Court and our Constitutional responsibility to respect the diversity of religious and personal belief in America. We should not legislate use of the term 'under God' in the Pledge of Allegiance when many proud Americans do not share this belief..."

Stark

Pages E 1799-80

Next SENATE MEETING: Wednesday, 9:30 a.m., October 9, 2002.

Next HOUSE MEETING: Wednesday, 10:00 a.m., October 9, 2002.

OLA: S. Schwarz, A. Santos